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11 *Attorney for Plaintiff, Wells Fargo Bank, National Association, As Trustee For The Holders Of*  
12 *The First Franklin Mortgage Loan Trust 2006-FF15 Mortgage Pass Through Certificates, Series*  
13 *2006-FF15*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 WELLS FARGO BANK, NATIONAL  
12 ASSOCIATION, AS TRUSTEE FOR THE  
13 HOLDERS OF THE FIRST FRANKLIN  
14 MORTGAGE LOAN TRUST 2006-FF15  
15 MORTGAGE PASS THROUGH  
16 CERTIFICATES, SERIES 2006-FF15,

17 Plaintiff

18 vs.

19 NORTH AMERICAN TITLE INSURANCE  
20 COMPANY,

21 Defendant

Case No.: 2:19-cv-01111-CDS-VCF

**STIPULATION AND ORDER FOR  
LIMITED STAY OF CASE**

22 Plaintiff, Wells Fargo Bank, National Association, As Trustee For The Holders Of The  
23 First Franklin Mortgage Loan Trust 2006-FF15 Mortgage Pass Through Certificates, Series 2006-  
24 FF15 (“Plaintiff”) and Defendant North American Title Insurance Company (“Defendant”, and  
25 with Plaintiff, the “Parties”), by and through their undersigned counsel, hereby stipulate as  
26 follows:

27 This matter involves a title insurance coverage dispute wherein Plaintiff contends, and  
28 Defendant disputes, that the title insurance claim involving an HOA assessment lien and  
subsequent sale was covered by the subject policy of title insurance. There are now currently  
pending in the United States District Court for the District of Nevada and Nevada state courts

1 more than one-hundred actions between national banks, on the one hand, and title insurers, on the  
2 other hand. In virtually all of these actions, the title insurer underwrote an ALTA 1992 or ALTA  
3 2006 loan policy of title insurance with form 1 coverage, along with the CLTA 100/ALTA 9  
4 and/or CLTA 115.2/ALTA 5 Endorsements.

5 This matter was previously stayed pending a Ninth Circuit appeal in *Wells Fargo Bank,*  
6 *N.A. v. Fidelity Nat'l Title Ins. Co.*, Ninth Circuit Case No. 19-17332 (District Court Case No.  
7 3:19-cv-00241-MMD-WGC) ("*Wells Fargo II*") [ECF No. 12], which resolved on November 21,  
8 2021.

9 The Parties have conferred and believe another limited six-month stay is warranted. The  
10 *PennyMac Corp. v. Westcor Land Title Ins. Co.*, Nevada Supreme Court Case No. 83737  
11 ("*PennyMac*") appeal remains pending. Additionally, there is another fully briefed appeal to the  
12 Nevada Supreme Court involving a similar coverage dispute in *Deutsche Bank Nat'l Trust Co. v.*  
13 *Fidelity Nat'l Title Ins. Co.*, Nevada Supreme Court Case No. 84161 ("*Deutsche Bank*"). Both  
14 *PennyMac* and *Deutsche Bank* are fully briefed, but oral argument has not been set. The Parties  
15 anticipate that the Nevada Supreme Court's decisions in the foregoing appeals may touch upon  
16 issues regarding the interpretation of policy and claims handling, that could potentially affect the  
17 disposition of the instant action.

18 Accordingly, the Parties believe an additional stay of six months in the instant action will  
19 best serve the interests of judicial economy. The Parties request that the action be stayed for an  
20 additional six months, through and including, August 7, 2023. The Parties are to submit a Joint  
21 Status Report on or before August 7, 2023. The Parties further agree that this stipulation and stay  
22 of this case is entered based on the specific circumstances surrounding this particular case, and  
23 that this stipulation shall not be viewed as a reason for granting a stay in any other pending matter.

24 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby  
25 stipulate and agree as follows:

- 26 1. In the interests of judicial economy and in efforts to preserve the Parties' resources,  
27 the Parties request that this action be **STAYED FOR AN ADDITIONAL SIX (6)**  
28 **MONTHS**, through and including, August 7, 2023.

2. All deadlines currently set in this case shall remain **VACATED**.
3. The Parties are to submit a Joint Status Report on or before August 7, 2023.
4. By entering into this Stipulation, none of the Parties is waiving its right to subsequently move the Court for an order lifting the stay in this action.
5. Notwithstanding this Stipulation, the Parties may continue to conduct third-party discovery (including by issuing and enforcing third-party subpoenas) to preserve evidence.

**IT IS SO STIPULATED.**

DATED this 6<sup>th</sup> day of February, 2023.

WRIGHT, FINLAY & ZAK, LLP

/s/ Lindsay D. Dragon

Lindsay D. Dragon, Esq.

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*Attorney for Plaintiff, Wells Fargo Bank,  
National Association, As Trustee For The  
Holders Of The First Franklin Mortgage  
Loan Trust 2006-FF15 Mortgage Pass  
Through Certificates, Series 2006-FF15*

DATED this 6<sup>th</sup> day of February, 2023.

EARLY SULLIVAN WRIGHT  
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*Attorney for Defendant North American Title  
Insurance Company*

**IT IS SO ORDERED.**

  
UNITED STATES DISTRICT JUDGE

Dated: February 7, 2023